

1 BILL NO. S-89-06-14

2 SPECIAL ORDINANCE NO. S-90-89

3 AN ORDINANCE approving the awarding of
4 Reference #881 by the City of Fort
5 Wayne, Indiana, by and through its
6 Department of Purchasing and GENERAL
7 ELECTRIC COMPANY, UTILITIES SALES
8 DIVISION for the Street Light
9 Engineering Department

10 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
11 THE CITY OF FORT WAYNE, INDIANA;

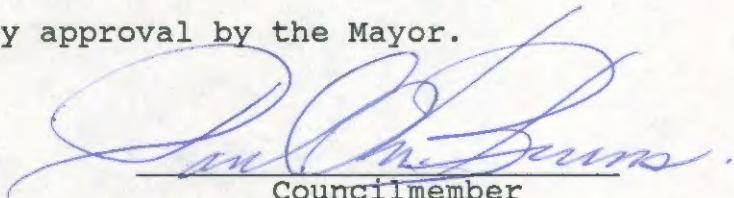
12 SECTION 1. That Reference #880 between the City of
13 Fort Wayne, by and through its Department of Purchasing and
14 GENERAL ELECTRIC COMPANY, UTILITIES SALES DIVISION for the
15 Street Light Engineering Department, is hereby ratified, and
16 affirmed and approved in all respects, respectfully for:

17 the purchase of 250+/- T & C fixtures
18 for the Street Light Engineering
19 Department;

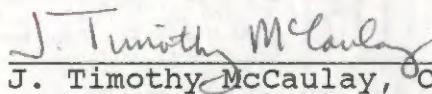
20 involving a total cost of Twenty-Six Thousand One Hundred
21 Seventy-Five and no.100 Dollars (\$26,175.00).

22 SECTION 2. Prior Approval has been requested from
23 Common Council on June 6, 1989. Two copies of said
24 Reference are on file with the Office of the City Clerk and
25 made available for public inspection, according to law.

26 SECTION 3. That this Ordinance shall be in full force
27 and effect from and after its passage and any and all
28 necessary approval by the Mayor.

29 
30 Councilmember

31 APPROVED AS TO FORM
32 AND LEGALITY

33 
34 J. Timothy McCaulay, City Attorney

All America City



Most Livable City

THE CITY OF FORT WAYNE

May 31, 1989

The Common Council
Fort Wayne IN

RE: Reference No. 881

Gentlemen and Mrs. Bradbury:

The Department of Purchases respectfully requests "Prior Approval" of Reference No. 881, with respect to the purchase of light fixtures for the Street Light Department. These will be used at the Crown Colony Addition. Due to time limitations of construction season, material must be ordered so that construction can be done in timely manner. The Street Light Department is requesting we move as quickly as possible on this project. The bid should be awarded to General Electric Company in the amount of \$26175.00 and will be assigned a purchase order number upon Councilmanic approval.

DEPARTMENT OF PURCHASES

Gloria J. Goeglein
Gloria J. Goeglein

APPROVED:

CITY OF FORT WAYNE

Paul Helmke
Paul Helmke, Mayor

ATTEST:

Sandra Kennedy, City Clerk

Attachment

An Equal Opportunity Employer
One Main Street, Fort Wayne, Indiana 46802

REFERENCE NO. 881
STREET LIGHT WAREHOUSE
100 W T&C FIX 120V

QTY	ALL PHASE	GRAYBAR	GE COMPANY	CENTRAL	DR FALZINE					
250	\$112.98	\$28,245.00	\$109.00	\$27,250.00	\$104.70	\$26,175.00	\$111.24	\$27,810.00	\$124.00	\$31,000.00

INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
219-427-1101

BID OPENING DATE: May 25, 1989 @ 11:00 AM BID REFERENCE # 881

BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350,
CITY-COUNTY BUILDING UP TO 11:00 A. M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF
WORKS AND SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-
COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M.
FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR 250 100 W T&C FIX 120V
CAT #T10R10S1M1AMS3BL

AND REQUESTED BY Street Light Engineering.

PLEASE RETURN THIS FORM AND/OR ANY OF THE OTHER FORMS AS REQUESTED
ON THE SHEET OF CONTENTS WITH YOUR SEALED BID.

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED CHECK, OR
CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A 100% PERFORMANCE BOND OF SUCCESSFUL
BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: %
IF PAID WITHIN DAYS.

THE CITY OF FORT WAYNE IS EXEMPT FROM FEDERAL EXCISE AND INDIANA
STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION
CERTIFICATE NUMBER IS 356-001-255-0013. PRICES SHOULD NOT INCLUDE
THESE TAXES.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND
CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND
BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF
NINETY (90) DAYS.

FIRM NAME GE COMPANY - UTILITY SALES DIVISION

STREET ADDRESS 6321 LaPas Trail - P O Box 68543

CITY INDIANAPOLIS, IN. 46268

BY Robert A. Callotte PHONE 317-298-5349
REPRESENTATIVE SIGNATURE

SPECIFICATIONS FOR BID REFERENCE NO. 881

FIXTURES

100 W T&C FIX 120 V

CAT #T10R10S1M1AMS3BL

COST OF EACH \$ 104.70

TOTAL COST \$ 26,175.00

ANY QUESTIONS: PLEASE CONTACT TIM WARREN - 219-427-1173 - STREET LIGHT ENGINEERING

SCHEDULE

1. The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of \$ 26,175.00. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivered as follows:

F.O.B. FACTORY, FREIGHT PREPAID AND ALLOWED

/ 2. LIQUIDATED DAMAGES PROVISION. It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the time spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of \$ _____ per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the failure to perform is caused



May 25, 1989

Unless otherwise stated, this quotation (Form FN 1090 ISS Rev.) expires 15 days from its date and may be modified or withdrawn by SELLER prior to any acceptance. All communications should refer to the quotation number and be addressed to our office at:

6321 LaPas Trail - P O Box 68543

Department of Purchasing
City of Fort Wayne, Allen County, Indiana
One Main Street - Room 350
Fort Wayne, Indiana

Attn: Gloria J. Goeglein, Purchasing Director
BID REFERENCE #881 - STREETING LIGHTING EQUIPMENT

Dear Ms. Goeglein:

We are pleased to submit this bid for street lighting equipment per Bid Reference #881:

<u>Class of Item</u>	<u>Qty</u>	<u>Unit</u>	<u>Description</u>	<u>Unit Price</u>	<u>Amount</u>
Street Light- ing Equipment	250	Each	Cat. T10R10S1M1AMS3BL	\$104.70	\$26,175.00

Terms: Net 30 days

Shipment: 4 to 6 weeks after receipt of order

Point of Shipment: Hendersonville, N.C.

General Comments

You have on file for GE Attachments A, C, D. E.

We take total exception to "General Provisions" and our Standard Terms and Conditions of Sale will apply - per reverse side of this quotation sheet.

We have attached descriptive sheet covering the item quoted.

We thank you for this opportunity to quote your street lighting equipment requirements, and look forward to receiving and servicing your order.

Please advise if we can be of further service.

Very truly yours,

Robert A. Calliotte
R. A. Calliotte
SALES ENGINEER
TRANSMISSION & DISTRIBUTION
UTILITY SALES DIVISION

RAC:Ila
Attachments

NOTICE: Sale of any products or services covered by this quotation is conditioned upon the terms contained herein (Including those on the back of this letter). Any additional or different terms proposed by Buyer are objected to and will not be binding upon Seller unless specifically assented to in writing by Seller's authorized representative.

OPTIONS: (C)ONTINUE, (R)EPLBY CAT, (E)XIT, (N)EXT PG

[]

351 890510 OE DESCRIPTION OF CATALOG T10R10S1M1AMS3BL

FAM-PL 055002

MFG-NBR 026157

DESC TC100R

MEMO NO MEMO

REPLACED BY NONE

MFG-NBR

STATUS ACTIVE

QTY/ 1 ORML 1 PR# 187.00 L 22.0 W 16.0 H 16.0 CB 3.26 WT 24.80
CODES-SALES 2217 PUBIND N COMM FRTCLS G STOCK J PROGITEM

PRODUCT DESCRIPTION TC100R (T10R)

LAMP TYPE HPS

BALLAST WATTS 100W

PRIMARY VOLTS 120V

BALLAST TYPE MAG-REG

BALLAST COIL VARIATION N.A.

CONNECTED VOLTS 120

VIRING DETAIL NO TERM BD

42 60

COLOR BLACK

JL KEY NO

HOUSING VARIATION WITH COVER SCREW

PE FUNCTION NONE

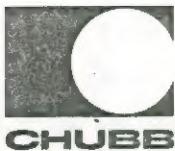
DISTRIBUTION M-S-III

LIGHT TRANSMITTER MAT'L ACRYLIC

UNIT FUSING NONE

OPTIONS: (C)ONTINUE, (R)EPLBY CAT, (E)XIT, (N)EXT PG

[]



CHUBB GROUP of Insurance Companies

15 Mountain View Road, P.O. Box 1615, Warren, NJ 07061-1615

FEDERAL INSURANCE COMPANY

BID BOND

Bond No.	Amount \$
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Know All Men By These Presents,

That we, GENERAL ELECTRIC COMPANY, UTILITIES SALES DIVISION

(hereinafter called the Principal), as Principal, and the FEDERAL INSURANCE COMPANY, Warren, New Jersey, a corporation duly organized under the laws of the State of New Jersey, (hereinafter called the Surety), as Surety, are held and firmly bound unto

CITY OF FORT WAYNE, INDIANA

(hereinafter called the Obligee),

in the sum of - - - - FIVE PERCENT OF THE AMOUNT BID - - - - - - - - - - - Dollars (\$ 5% Amount Bid), for the payment of which we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 25th day of May , A. D. nineteen hundred and eighty-nine.

WHEREAS, the Principal has submitted a bid, dated May 25 , 1989 , for

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with such bid and give bond with good and sufficient surety for the faithful performance of such contract, or in the event of the failure of the Principal to enter into such contract and give such bond, if the Principal shall pay to the Obligee the difference, not to exceed the penalty hereof, between the amount specified in said bid and the amount for which the Obligee may legally contract with another party to perform the work covered by said bid, if the latter amount be in excess of the former, then this obligation shall be null and void, otherwise to remain in full force and effect.

GENERAL ELECTRIC COMPANY, UTILITIES SALES DIVISION

Principal

By:

By:

Eileen Roberts, Attorney-in-Fact

POWER OF ATTORNEY

Know all Men by these Presents, That the FEDERAL INSURANCE COMPANY, 15 Mountain View Road, Warren, New Jersey, a New Jersey Corporation, has constituted and appointed, and does hereby constitute and appoint Robert P. Stimpson and Eileen Roberts of Indianapolis, Indiana-----

each its true and lawful Attorney-in-Fact to execute under such designation in its name and to affix its corporate seal to and deliver for and on its behalf as surety thereon or otherwise, bonds of any of the following classes, to-wit:

1. Bonds and Undertakings filed in any suit, matter or proceeding in any Court, or filed with any Sheriff or Magistrate, for the doing or not doing of anything specified in such Bond or Undertaking.
2. Surety bonds to the United States of America or any agency thereof, including those required or permitted under the laws or regulations relating to Customs or Internal Revenue; License and Permit Bonds or other indemnity bonds under the laws, ordinances or regulations of any State, City, Town, Village, Board or other body or organization, public or private; bonds to Transportation Companies, Lost Instrument bonds; Lease bonds, Workers' Compensation bonds, Miscellaneous Surety bonds and bonds on behalf of Notaries Public, Sheriffs, Deputy Sheriffs and similar public officials.
3. Bonds on behalf of contractors in connection with bids, proposals or contracts.

In Witness Whereof, the said FEDERAL INSURANCE COMPANY has, pursuant to its By-Laws, caused these presents to be signed by its Assistant Vice-President and Assistant Secretary and its corporate seal to be hereto affixed this 1st day of January 19 88

Corporate Seal



Richard D. O'Connor

Assistant Secretary

STATE OF NEW JERSEY
County of Somerset

}

ss.

Richard D. O'Connor

FEDERAL INSURANCE COMPANY

By

George McClellan

Assistant Vice-President

George McClellan

On this 1st day of January 19 88, before me personally came Richard D. O'Connor to me known and by me known to be Assistant Secretary of the FEDERAL INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney, and the said Richard D. O'Connor being by me duly sworn, did depose and say that he is Assistant Secretary of the FEDERAL INSURANCE COMPANY and knows the corporate seal thereof; that the seal affixed to the foregoing Power of Attorney is such corporate seal and was thereto affixed by authority of the By-Laws of said Company, and that he signed said Power of Attorney as Assistant Secretary of said Company by like authority; and that he is acquainted with George McClellan and knows him to be the Assistant Vice-President of said Company, and that the signature of said George McClellan subscribed to said Power of Attorney is in the genuine handwriting of said George McClellan and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



STATE OF NEW JERSEY
County of Somerset

}

ss.

CERTIFICATION

Acknowledged and Sworn to before me
on the date above written,

Alice Leonard

Notary Public

ALICE LEONARD

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires July 12, 1993

I, the undersigned, Assistant Secretary of the FEDERAL INSURANCE COMPANY, do hereby certify that the following is a true excerpt from the By-Laws of the said Company as adopted by its Board of Directors on March 11, 1953 and most recently amended March 5, 1986 and that this By-Law is in full force and effect.

"ARTICLE XVIII."

Section 2. All bonds, undertakings, contracts and other instruments other than as above for and on behalf of the Company which it is authorized by law or its charter to execute, may and shall be executed in the name and on behalf of the Company either by the Chairman or the Vice-Chairman or the President or a Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations, except that any one or more officers or attorneys-in-fact designated in any resolution of the Board of Directors or the Executive Committee, or in any power of attorney executed as provided for in Section 3 below, may execute any such bond, undertaking or other obligation as provided in such resolution or power of attorney.

Section 3. All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the Vice-Chairman or the President or a Vice-President or an Assistant Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, Vice Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I further certify that said FEDERAL INSURANCE COMPANY is duly licensed to transact fidelity and surety business in each of the States of the United States of America, District of Columbia, Puerto Rico, and each of the Provinces of Canada with the exception of Prince Edward Island; and is also duly licensed to become sole surety on bonds, undertakings, etc., permitted or required by law.

I, the undersigned Assistant Secretary of FEDERAL INSURANCE COMPANY, do hereby certify that the foregoing Power of Attorney is in full force and effect.

Given under my hand and the seal of said Company at Warren, N.J., this

25th

day of

May

, 19

Corporate Seal



BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

1. Governmental Unit: CITY OF FORT WAYNE, IN. Date: May 25, 1989
 2. County: ALLEN
 3. Bidder (Firm): GE COMPANY, UTILITY SALES DIVISION
 Address: 6321 Lakes Trail - P O Box 68543
 CITY/STATE: INDIANAPOLIS, IN. 46268
 4. Telephone Number: 317 - 298-5549
 5. Agent of Bidder (if applicable)

Pursuant to notices given, the undersigned offers bids to CITY OF FORT WAYNE, IN. (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items. In accordance with specifications, Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contractor, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-DISLUSION AFFIDAVIT

STATE OF INDIANA }
 MARION COUNTY }

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid, by and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any referee fee, gift, commission or filing or value on account of such sale.

GE COMPANY-UTILITY SALES DIV.

Signature of Bidder or Agent

May 22, 1989

My Commission Expires: 4-5-91
 County of Residence: Marion

WILSON H. DASHEET
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of classes or items numbered _____ (Governmental Unit) hereby accepts the terms of the attached bid for quoted for the materials specified in said bid, and promises to pay the undersigned bidder upon delivery the price quoted for the materials specified in said bid.

Contracting Authority Number: _____

Date: _____

Read the first time in full and on motion by _____
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 6-13-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
seconded by Deceased, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>1</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>				
<u>TALARICO</u>	<u>✓</u>			

DATED: 6-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. J-92-89
on the 27th day of June, 1989.

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 28th day of June, 1989,
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of June,
1989, at the hour of 12:00 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

S.89-06-14

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 881 with respect to the purchase of T & C fixtures for Street Light Eng. The cost reflects the lowest and most responsible of five (5) vendors.

Press approval

EFFECT OF PASSAGE: Approximately 250+/- T & C fixtures for street lighting at Crown Colony.

EFFECT OF NON-PASSAGE: Crown Colony would not have street lights.

MONIES INVOLVED: General Electric \$26,175.00 +/-

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: Street Light
512-503-E154-4299

PRIOR APPROVAL: YES
(IF APPLICABLE)

DATE: 6/6/89

BILL NO. S-89-06-14

REPORT OF THE COMMITTEE ON CITY UTILITIES

MARK E. GIAQUINTA, CHAIRMAN
THOMAS C. HENRY, VICE CHAIRMAN
LONG, BURNS, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) approving the
awarding of Reference #881 by the City of Fort Wayne, Indiana,
by and through its Department of Purchasing and GENERAL ELECTRIC
COMPANY, UTILITIES SALES DIVISION for the Street
Light Engineering Department

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Mark GiaQuinta
Thomas Henry
Samuel J. Talarico
David Long

DATED: 6-27-89.

Sandra E. Kennedy
City Clerk